

**Mayor and City Council of New Castle
Council Meeting
New Castle Town Hall—Delaware Street—New Castle
Tuesday, February 10, 2004—7:00 PM**

Roll Call

Present: President Castagno Councilman DiAngelo
 Councilwoman Miller Councilman Padmalingam
 Councilman Reese

Others present: Treasurer Janet Carlin, Finance/Human Resources Manager Marian Delaney, City Attorney Cliff Hearn, City Administrator Bob Martin, Police Chief Kevin McDerby, Public Services Manager Jim Weldin,

President Castagno convened the meeting at 7:00 PM and led those assembled in the pledge of allegiance. He asked attendees to sign in and to take a copy of the agenda.

Approval of Committee Reports

President Castagno called for approval of committee reports. Councilman Reese moved to accept the committee reports as written. Councilwoman Miller seconded the motion. Councilwoman Miller and Councilmen DiAngelo, Padmalingam, and Reese all voted to accept the committee reports. The motion carried unanimously.

Approval of Treasurer's Report

Treasurer Carlin reported that as of December 31, 2003, petty cash totaled \$270.00; monthly deposits totaled \$275,562.10. Cash in Wilmington Trust accounts totaled \$463,336.28. CDs and the Government Investment Pool totaled \$215,086.47. Total cash on hand equaled \$678,422.75. Councilman Reese moved to accept the treasurer's report as presented. Councilwoman Miller seconded the motion. Councilwoman Miller and Councilmen DiAngelo, Padmalingam, and Reese all voted to accept the Treasurer's report. The motion carried unanimously. President Castagno announced that copies of all reports are on file at the City Offices.

Approval of Minutes by Date

President Castagno noted that the minutes for both December and January were to be approved. He first called for approval of the December 9, 2004 minutes. Councilman DiAngelo moved to accept the minutes. Councilman Reese seconded the motion. Councilwoman Miller and Councilmen DiAngelo, Padmalingam, and Reese all voted to accept the December minutes. The motion carried unanimously.

President Castagno next called for a motion to accept the January 13, 2004, minutes. Councilman Reese moved to accept the January minutes as presented. Councilman Padmalingam seconded the motion. Councilwoman Miller and Councilmen DiAngelo, Padmalingam, and Reese all voted to accept the January minutes. The motion carried unanimously.

Communications

President Castagno read a letter from Benjamin Bell, the Racing Director of the New Castle Sailing Club. Mr. Bell asked to be notified when the Hold Harmless Release for the Club's 2004 schedule would be ready for his signature. The Club is looking forward to its 51st year of sailing from Battery Park in New Castle and expressed appreciation for the City's permission to use the Goodwill Fire Company's boat ramp and for permitting club members to park cars and boat trailers on the lower end of Third Street. Races will be held from May 1 through October 24. Other important dates include:

April 24	Launch Day
June 5*	Separation Day
June 19*	Chanty Regatta
June 26-27*	Mid Atlantic District Thistle Race
October 23-24*	Delripett Regatta
October 30	Haul Out

Each date marked with an asterisk will require heavy parking accommodations. A complete schedule for events from May through October was enclosed. For safety purposes, the club also operates an Atlantic skiff with a 50 hp motor.

President Castagno asked City Administrator Bob Martin to send the Hold Harmless Release to Mr. Bell for his approval. Councilman Padmalingam asked if any major accidents or incidents had occurred during the Club's operation. Mr. Martin replied in the negative. Councilman Reese reported that as a student he had been dunked in the water off Battery Park without serious consequences. He praised the Club members' consistently considerate behavior. Councilwoman Miller concurred, and added that Club members are also very safety conscious.

Business from the Floor

President Castagno asked that business be limited to agenda items and that other concerns be introduced at agenda item 9, Comments from the Floor.

Business from the Mayor

There was no business from the Mayor.

Business from the Council President

Police Department Concerns and Activities: President Castagno asked Police Chief Kevin McDerby to give an overview of the Police Department’s current plans and programs. The Chief identified the following interests:

Stranger/Danger Program	To help elementary school children avoid dangerous situations
Citizens Police Academy (one night a week for five weeks)	To identify current trends and technology and to define police qualifications
CPR Qualification Course	To qualify participants to deliver CPR
Anti-Terrorism Campaign	To educate citizens on combating terrorism.
Spring Training for Little Leagues (In March at the New Castle Middle School)	To provide a focus for children, especially those with problems.
Establishment of a Video Library	To launch a general community source of information, especially for the learning disabled and for younger children.
Quarterly Disney Movies for younger children	

On March 24, 2004, the department will hold a meeting to discuss the Police Department’s plans and concerns. Any interested group can participate.

Public Services: Public Services Manager Jim Weldin reported that 126 rental licenses have been issued, with rental fees totaling \$4627 to date. Census data derived from utility bills indicates that there are from 450 to 500 rental units in the City. The licenses obtained to date account for 298 units. Approximately 100 units have not yet been licensed. City Administrator Martin reported that few have complained about the licensing requirement. Mr. Weldin concurred and reported that, except for two complaints, the overall response has been positive. He also reported that regular business licenses are now being paid in a timely fashion.

Mr. Martin noted that some were unsure about how to pay the licensing fee. President Castagno revealed that the fee could be paid by mail and in person. By 2005, fees will be payable on the Internet. President Castagno thanked Debbie Pullan for her contribution to making the collection of rental fees a success.

Mr. Weldin expects any uncertainties about the licensing fee to be resolved by 2005. Beginning in 2003, the City has been tracking people who do not pay.

Trash Collection and Recycling: Mr. Weldin reported that the City is taking steps to reduce the amount of City trash. One solution is to require that household trash be kept separate from yard

waste. In fact the Delaware Solid Waste Authority will eventually ban yard waste in household trash. He said that yard waste, which accounts for 30% (700 tons) of the tonnage collected, could be separated and then easily recycled as compost.

Currently, the City pays \$58/ton to haul away its trash. He emphasized that the City needs a program to eliminate the need to haul away the 700 tons of yard waste. As another solution, he suggested that homeowners collect their grass clippings for later use as compost. The City will use yard waste as compost around trees.

Mr. Weldin emphasized that starting in April 2004, yard waste can no longer be mixed with household trash. Rather it will be collected each Wednesday. Christmas trees are regularly chipped and composted in piles.

Currently, DENREC is offering the City a grant in the amount of \$20,000 to fund plans to eliminate trash. The City must contribute \$16,000. The City plans to use the grant to purchase equipment for turning trash to facilitate composting. President Castagno asked if the City's compost area could accommodate 700 tons. Mr. Weldon replied in the affirmative and said that by March or April of next year the City will not have to buy compost. Earl Carpenter asked about the location of the compost pile. Mr. Weldin maintained that the location is top secret, although he revealed that the area covers approximately 600 feet.

Councilman Padmalingam asked that the Council remember that the City beaches must also be kept clean, and that driftwood must be chipped and composted.

Councilman Reese suggested lids to require lids for trashcans since rain-soaked trash becomes extremely heavy, thus adding to the cost of hauling away trash. Mr. Weldin promised to make that the next project.

Ken Oppenheimer wants Mr. Weldin's dedication to duty recognized He revealed that he had seen Mr. Weldin checking later at night to ensure that snow removal was under control.

Business from the City Administrator

City Administrator Martin reported on the following.

In a letter to the City, Bryan Hall of the Delaware Forestry Service Urban and Community Forestry Program extolled the benefits of planting trees within New Castle. He invited the City to contact him if they wished to learn more about grants and programs for **urban tree planting**.

Pasquale J. Martinelli notified the Council that **St Peter's Church will celebrate its 200th anniversary in 2004**. As a result, the Church asked for permission to install a banner across Delaware Street at Seventh Street and to place placards on some poles throughout the City. Because the City prohibits the use of nails and other destructive apparatus on poles, the Church plans to fasten all such items on the poles with collars. As a result, no damage will occur to City property. Mr. Martin advised against putting placards on the City's poles. Councilwoman Miller also wants the poles kept clear.

Councilman Reese asked about the time period when placards go up. Mr. Martin replied that the time period is two weeks before the planned events. Councilman DiAngelo suggested that Council members pass a resolution honoring St Peter's as was done for Immanuel Episcopal Church. President Castagno deferred the resolution until the next Council meeting.

The New Castle Flower Beautification Committee is working with DelDot and Matt Strong of Landscape Architect Services, LLC, to develop a plan for forestation from the New Castle Middle School to the Carey Downey School. Mr. Martin reported that the tentative plans can be viewed in his office.

Councilman Reese suggested raising the sign at the entrance to New Castle because high-growing roses obscure the sign. Mr. Martin informed him that raising the sign will make it top heavy, thus causing problems. Councilman Reese then suggested that the roses should be pruned. NCFBC also reported that more than 13 urns had been donated.

Unfinished Business

Wharf Railing: President Castagno called on Councilman DiAngelo to report on current plans for the wharf railing. Councilman DiAngelo related that he had met with HACC, and that everyone involved has agreed on a black picket steel fence that meets code. The next step is to solicit bids for the fence. The fence is scheduled to be in place by May 2004 before A Day in Old New Castle.

Doggie Mitts: Councilman Reese displayed signs notifying dog walkers that doggie mitts are available reported and that dog waste is to be picked up. Mr. Martin said that such signs have been placed in Battery Park, and on Delaware and Third Streets.

New Zoning Map: President Castagno read a letter from Jim Steele, Chairman of the New Castle Planning Commission. Mr. Steele advised that the Commission has unanimously recommended replacing the City's existing zoning map, dated April 15, 1968 with a completely revised map. The existing the map is difficult to interpret as a result of the many changes and additions that have occurred in the City since its creation. The Commission unanimously recommends adopting the replacement map, which accurately reflects the City's current configuration. However, one audience member at the hearing, requested that the City Solicitor be consulted concerning tax parcels 21-018.001-009 and 21-018.00-011 to determine whether or not the recommendation be accepted. The case is to be decided by consulting Ordinance 337. Mr. Martin recommended that the zoning recommendations be subjected to a public hearing before the next Council meeting. Mr. Martin revealed that a public hearing on zoning changes is a preliminary to adopting such changes. The public hearing is scheduled under New Business of this Council meeting.

New Business

Resolution 2004-01: President Castagno introduced Resolution 2004-01 for approving the subdivision of property on West Seventh Street and Umbrella Row (Tax Parcel 21-014-00-400). Ex-

hibit A consisted of a plat prepared by PELSA Company, Inc. and submitted by Gambacorta Motors. Councilman DiAngelo explained that the Planning Commission had spent much time and careful planning to ensure that the resultant plan protects both the City and the property owner.

Councilman Reese asked if the old cemetery would still be accessible. Mr. Gambacorta said that access would be maintained. Councilman DiAngelo asked what the two parcels will become. President Castagno explained that the Parcels 1 and 2 go through Umbrella Row and divides the subdivision. Mr. Gambacorta explained that he had spent \$7,000 in lawyer fees to ensure that no legal problems arise in the future.

Councilwoman Miller moved to accept the subdivision. Councilman DiAngelo seconded the motion. Councilwoman Miller and Councilmen DiAngelo, Pamalingam, and Reese all voted to accept the motion. The motion carried unanimously.

Easement Agreement NC-26: The easement agreement being considered between the City and the Delaware Transit Corporation concerns the use of the New Castle Railroad Industrial Track Line (the old railroad bed). Mr. Martin has a ten-page document relating to the easement agreement at the City offices. After reviewing the document, City Attorney Hearn expressed two concerns:

1. The railroad is not giving the City use of the property in perpetuity.
2. If the property should again become a railroad, City personnel must be trained in railroad safety.

However, the land is unlikely to ever be used as a railroad again. The City will pay \$1.00 for use of the land.

Councilwoman Miller moved to ask the Mayor to sign the easement agreement. Councilman Reese seconded the motion. Councilwoman Miller and Councilmen DiAngelo, Pamalingam, and Reese all voted to accept the motion. The motion passed unanimously.

Planning Team Recommendations. Jim Steele, Marian Delaney, Dave Stupien, reviewed the bids and interviewed the likely candidates from six planning-service firms. Each interview lasted two hours. On subject concerned how the firm would handle the City's action plan. After considering the qualifications of the applicants, the team selected Dwight Walters and Jackie Magnus Kenshaw of KCI Technology, Inc. Councilman DiAngelo then introduced them to the Council and those assembled. They also attended the February 17, 2004, Planning Commission meeting.

Councilman DiAngelo moved to accept the Planning Team's recommendation. Councilwoman Miller seconded the motion. Councilwoman Miller and Councilmen DiAngelo, Pamalingam, and Reese all voted to accept the motion. The motion passed unanimously.

Councilman Reese asked if the contract is for one year. Mr. Martin answered that the contract's length hasn't been specified. He will meet with the team Tuesday, February 17, 2004, to draft the agreement. Councilman DiAngelo noted that a packet of the all applicant experience is available in the City offices for all who wish to review it.

Resolution 2004-02: Adopting a New Zoning Map: The Planning Commission advised replacing the existing zoning map with the updated map. President Castagno called for a motion to accept the Commission's recommendation. Councilman Reese moved to accept the Planning Commission's recommendation. Councilman Padmalingam seconded the motion. Councilwoman Miller and Councilmen DiAngelo, Pamalingam, and Reese all voted to accept the motion. The motion carried unanimously. Mr. Weldin revealed that a laminated copy of the map will be placed at the Public Service Building. Mr. Martin announced that the City Offices will have a smaller version of the map

Payment for City Street Repairs: Councilwoman Miller read two resolution, both of which involved payment to Diamond Materials for City-wide street repairs. One resolution called for the payment of \$80,000 from the General Fund; the other for \$57,418 from the Municipal Street Aid Fund. Both are payable under Contract 2003-01. Councilwoman Miller moved to accept both resolutions. Council Reese seconded the motion. Councilwoman Miller and Councilmen DiAngelo, Pamalingam, and Reese all voted to accept the motion. The motion carried unanimously.

Grace Woolford's 90th Birthday: President Castagno read a resolution congratulating Ms. Grace Woolford on her 90th birthday. The resolution summarized some of the milestones in her life and thanked her for her contributions to the City and to the Buttonwood community.

Annual State Mosquito Control: Councilman DiAngelo reported that the State's Division of Fish and Wildlife asked whether or not the City wants DENREC mosquito control as in previous years. He emphasized that the program is effective and that there is no cost. The letter detailed potential problems if the City choose not to sign up for the program and cited figures on the incidence of mosquito borne illnesses that affect domestic animals, wildlife, and humans. The letter cited the increasing number of West Nile virus infections.

Mr. Martin pointed out that DENREC can spray by air or on the ground to control mosquitoes without endangering residents. Councilman DiAngelo moved to accept DENREC's offer. Councilwoman Miller seconded the motion. Councilwoman Miller and Councilmen DiAngelo, Pamalingam, and Reese all voted to accept the motion. The motion passed unanimously. **James Steele** pointed out that minnow larvae provide good mosquito control. Mr. Martin agreed and noted that DENREC will provide minnows, but the City must ask for them.

Miscellaneous: Councilman Padmalingam observed that there is always a puddle of water on Seventh Street, which turns to ice in freezing weather. He asked whether the City or the property owner is responsible for eliminating the hazard. Councilwoman Miller agreed that the problem needs to be addressed and suggested adding it to next month's agenda.

Comments from the Floor

Sandy Amis, President of the New Castle JCs, spoke on her organization's sponsorship of Kid Fest, Scheduled for August 17 or 18, 2004, Kid Fest provides children of all ages with a variety of useful skills. Among these skills are fire safety procedures and the use of hot lines to access help. The JCs are also involved in the Stranger/Danger program. Policemen and firemen are on

hand to help children think of them as friends. The children can be fingerprinted for identity purposes.

Ms. Amis asked for permission to use Battery Park for 2004's Kid Fest. Ms. Amis said that last year's cancellation of Separation Day was disastrous for the clubs plans to help children. She emphasized that any money raised will be donated to a children's charity.

Councilman DiAngelo expressed his support, but noted that the Trustees must approve. Councilwoman Miller asked if cooking would be involved. Ms. Amis replied that Boy Scouts would prepare hot dogs. President Castagno suggested that Ms. Amis contact Jean Williamson at the City Offices to initiate approval to use the Park.

Gail Askew of Boothhurst asked if Boothhurst is still annexed as part of the City of New Castle. She complained that Boothhurst lacks snow removal and street sweeping services. Mr. Weldin reported that he checked Boothhurst almost daily during the recent inclement weather, at times performing snow removal himself. Ms. Askew maintained that the City did not plow, salt, or sand Boothhurst streets. To Councilman DiAngelo question whether or not the City uses a street sweeper in Boothhurst, Mr. Weldin responded that the City does so almost daily. Councilman DiAngelo said that parked cars make it difficult for the City to clear roads. President Castagno directed Mr. Weldin to work with Boothhurst residents on scheduled services

Ms. Askew also asked what the City does about diabetic waste. She protested that when one of her neighbors died, nothing was done about the medical waste remaining from the neighbor's treatment. Councilman DiAngelo proposed developing and distributing information on what to do with such waste. . He asked if the City should investigate Ms. Askew's allegations about such waste. Mr. Weldin reported that code enforcers have investigated and that Herb Swanson has followed up on the complaints.

Eugene Petty of the Buttonwood Civic Association complained about the number of unregistered cars parked inappropriately on Arbutus Avenue in Buttonwood. He wants the City to remove junk cars and to do something about the disgraceful condition of the second house on Arbutus Avenue. Mr. Weldin reported that he and a code enforcement officer had investigated and that the problems will be eliminated.

Charlotte Houben of Washington Park asked Councilman DiAngelo about the status of the bond issue. Mr. Martin reported that no figures are available yet. Ms. Houben noted that if the Council doesn't know the financial ramifications of the bond issue, the residents can't decide intelligently. Councilman DiAngelo moved to delay the bond referendum until more precise figures are available. Councilwoman Miller seconded the motion. Councilwoman Miller and Councilmen DiAngelo, Pamalingam, and Reese all voted to accept the motion. The motion carried unanimously.

Earl Carpenter asked about placing signs requiring dog walkers to clean up after their pets. Mr. Martin replied that there are signs to that effect throughout the City. Mr. Carpenter asked for a sign to be placed in his neighborhood.

Meeting Adjourned

Councilwoman Miller moved to adjourn the meeting and to go into an executive session. Councilman DiAngelo seconded the motion. Councilwoman Miller and Councilmen DiAngelo, Padmalingam, and Reese all voted to accept the motion. The motion carried unanimously. The meeting adjourned at 8:35 PM.

Next Meeting

The next regular meeting will be held at 7:00 PM on March 9, 2004, in the Town Hall.

Respectfully submitted,

Darcy Mozer, City Clerk